

**REMARKS**

This is a response to the final Office action dated October 13, 2010. In the Office action, the drawings are objected to under 37 CFR 1.83(a). In addition, claims 1-8 are rejected as obvious over prior art references. In response, claims 1, 3, and 6 are herein amended, claims 2, 4, 5, 7, and 8 are herein cancelled, and claim 9 is added. In light of the foregoing amendments and following remarks, Applicant submits that the objection and rejections are overcome and respectfully requests allowance of all pending claims.

As an initial point, Applicant considers the above-presented claim amendments as fully supported by the original specification and having no new matter added. Specifically, independent claim 1 is amended to specify that both first and second panels are reflective. Support for this amendment is found in the specification on page 5, lines 13-19. Claim 1 is also amended to specify that the first reflective panels include recesses in which articles are designed to be arranged. Support for this amendment is found in the specification on page 4, lines 26-31. Furthermore, claim 1 is amended to specify that the person facing the display stand can observe the top portion the articles, either directly, beside an image of the person reflected without obstacle on the first reflective panel, or indirectly, by reflection of the top portion of the articles on the second panel placed opposite the first panel, beside an image of the person reflected without obstacle on the second reflective panel. Support for this amended claim language can be found in the specification on page 5, lines 4-19. Finally, new claim 9, dependent on claim 1, further specifies that the first and second reflective panels are mirror panels. Support for this claim can be found in the specification on page 5, lines 15-16. Consideration and entry of these claim amendments are therefore respectfully requested.

**Objection to the Drawings**

In the Office action, the drawings are objected to as not showing every feature of the invention specified in the claims. Specifically, the Examiner states that the transparent plate cited in claim 6 must be shown with the correct hatch marks. In accordance with the Examiner's recommendation and the chart provided under 37 CFR 1.84(n), Figure 2 is herein amended to include the hatch marks illustrative of transparent material where appropriate. The replacement sheet attached hereto includes the amendments to Figure 2 and replaces original Figures 1 and 2. No new matter has been added. In light of the foregoing

amendments, the objection to the drawings is overcome and Applicant respectfully requests that the objection be withdrawn.

### **Claim Rejections – 35 U.S.C. §103**

Turning to the claim rejections, the Examiner has rejected claims 1-5 and 7-8 as being obvious over U.S. Design Patent No. D250,441 (“Richman”) in view of U.S. Patent No. 2,109,586 (“Einbinder”). In addition, claim 6 is rejected as being obvious over Richman in view of Einbinder, and further in view of U.S. Patent No. 6,021,784 (“Yuhara”). Applicant respectfully submits that this combination of prior art fails entirely to teach or suggest the display stand specified in amended claims 1, 3, 6, and 9.

To support an obviousness rejection, MPEP §2143.03 requires “all words of a claim to be considered” and MPEP §2141.02 requires consideration of the “[claimed] invention and prior art as a whole.” Further, the Board of Patent Appeals and Interferences recently confirmed that a proper, post-KSR obviousness determination still requires the Office to make “a searching comparison of the claimed invention – including all its limitations – with the teaching of the prior art.” *See, In re Wada and Murphy*, Appeal 2007-3733, citing *In re Ochiai*, 71 F.3d 1565, 1572 (Fed. Cir. 1995). *See also, In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974) (to establish a prima facie obviousness of a claimed invention, all the claim features must be taught or suggested by the prior art). In sum, it remains well-settled law that an obviousness rejection requires at least a suggestion of all of the claim elements. Applicant believes that the proposed combination of the prior art fails to disclose every limitation of the amended claims, and respectfully submits that these rejections should be withdrawn.

Amended independent claim 1, as well as claims 3, 6, and 9 dependent thereon, now specify the following: a vertical display stand having a plurality of first and second reflective panels, each first reflective panel is inclined downward and forward and includes a plurality of recesses in which the articles are designed to be arranged, and wherein each second reflective panel is arranged opposite one of the first panels has a reflective surface and is facing slantwise forward and downward, such that a person facing the board can observe only a top portion of said articles, either directly, beside an image of said person reflected without obstacle on the first reflective panel, or indirectly, by reflection of said top portion of said

articles on in the second panel placed opposite said first panel, beside an image of said person reflected without obstacle on the second reflective panel. As described in the specification and depicted in Figure 2, this claimed arrangement allows the person facing the board and examining the articles on display to view the articles either directly or by reflection, near the reflected image of the person's face, for example, which can be seen without any obstacle or distortion. Such an arrangement enables the person to make a better choice from the displayed articles.

Richman fails to disclose such elements or advantages. Instead, Richman discloses a horizontal display stand having first and first and second panels, the articles for display being disposed on the horizontal, upwardly facing first panels. As such, a person viewing the articles displayed sees neither a reflection of the articles displayed nor a reflection of the articles beside the person's own reflection.

Contrary to the presently claimed display stand, should the display stand of Richman be viewed vertically, the first and second panels would be juxtaposed or side by side. Richman fails to teach a vertical display stand wherein the first and second panels are superposed vertically in alternance, as is recited in the present claims. Furthermore, Richman fails to disclose first and second panels inclined relative to one another defining crests, as recited in the claims. Richman does not teach first panels inclined downward and forward and in which the articles are arranged. In addition, Richman does not teach first and second panels being reflective, as recited in the amended claims. Finally, Richman fails to teach or suggest a display stand wherein a person facing the board can observe only a top portion of said articles, either directly, beside an image of said person reflected without obstacle on the first reflective panel, or indirectly, by reflection of said top portion of said articles on in the second panel placed opposite said first panel, beside an image of said person reflected without obstacle on the second reflective panel, as now required by amended claim 1 and claims 3, 6, and 9, dependent thereon.

The Examiner further relies upon Einbinder. Einbinder, however, fails to supply all the deficiencies noted above with respect to Richman. Einbinder discloses a vertical display stand having alternate first and second reflective panels 11 defining crests between them. Further, the display stand of Einbinder includes an additional, transparent glass plate 19 for

receiving the articles 20 to be displayed, the glass plate 19 being disposed between first and second reflective panels 11. According to Einbinder, "these glass plates 19 substantially bisect the angle defined by adjacent mirrors 11, so that the plates 19 are at an angle of substantially 45° to the mirrors 11." See column 3, lines 13-19. As depicted and described, these glass plates 19, on which the articles are displayed, are horizontally disposed. Such an arrangement allows a user facing the stand to see the article directly, and to see both the top and bottom of the article via the reflection in the mirrors 11, the bottom view of the article being through the glass plate on which the article is disposed.

Einbinder fails to disclose at least the following elements, also not disclosed in Richman, and required by amended independent claim 1: first reflective panels inclined downward and forward and including a plurality of recesses in which the articles are arranged; and a display stand wherein a person facing the board can observe only a top portion of said articles, either directly, beside an image of said person reflected without obstacle on the first reflective panel, or indirectly, by reflection of said top portion of said articles on in the second panel placed opposite said first panel, beside an image of said person reflected without obstacle on the second reflective panel. Therefore, the Examiner's rejection based on Richman and Einbinder fails to address every limitation of claim 1, as well as claims 3, 6, and 9, dependent thereon. For at least these reasons, Applicant respectfully submits that the obviousness rejection of should be withdrawn.

Further, Applicant submits that these references have incompatible teachings and those skilled in the art would not have combined the references to find the claimed solution. Specifically, the Examiner refers to the panels 11 of Einbinder as the "first panels". However, unlike the presently claimed display, these panels of Einbinder do not receive any articles to be displayed. As described above, the articles are received on the intermediate plate 19. Because it is actually the glass plate of Einbinder that receives the articles, combining the teachings of Einbinder with Richman would lead one to make the first panels of Richman in transparent glass. Such an arrangement would offer no additional advantage and would fail to provide a display stand wherein a user sees his reflection directly beside the article and indirectly in a second panel.

Finally, Applicant submits that Einbinder actually teaches away from the claimed subject matter by teaching a display stand wherein the user sees a reflection of both the top and bottom of the article in the panels 11. This is contrary to the presently claimed stand wherein the user can only observe a top portion of the displayed article. Furthermore, supposing that a user could see his reflection beside the top of the article in both the “second panel” and in the “first panel” of Einbinder, such a reflection in the first panel could be only seen through the glass plate 19. As such, the reflected image would not be without obstacle, as claimed. Instead, the reflected image would be distorted and changed in color, thereby giving an erroneous impression and defeating the purpose of aiding the user in making his choice.

From the foregoing, it is clear that the Examiner’s proposed combination of Richman and Einbinder lack clear suggestions to converge to the claimed solution and, even in view of the two references, those skilled in the art would not have found the claimed solution. In turn, Applicants again submit that the obviousness rejection based on these references should be withdrawn.

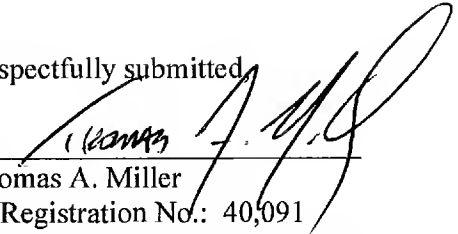
The Examiner also relies on Yuhara with respect to dependent features of claim 6, however; Yuhara fails to supply the deficiencies of Richman and Einbinder noted above in reference to independent claim 1. In turn, this combination of prior art references fails to disclose or suggest all elements of dependent claim 6. Applicant, therefore, respectfully requests withdrawal of this obviousness rejection based on Richman, Einbinder, and Yuhara.

### **CONCLUSION**

In light of the foregoing, Applicant respectfully submits that all of the currently amended claims are in condition for allowance and respectfully solicits the same. If a telephone call would expedite prosecution of the subject application, the Examiner is invited to call the undersigned.

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Respectfully submitted,

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